

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONALD RAY JACKSON,

Petitioner,

No. CIV S-02-0946 FCD PAN P

vs.

TOM L. CAREY,

Respondent.

ORDER

On May 5, 2006, petitioner filed a request for reconsideration of the magistrate judge's order filed May 3, 2006, granting respondent's request to stay this action pending the appellate court's decision in Sass v. California Board of Prison Terms, Case No. 05-16455.

Pursuant to Local Rule 72-303(f), a magistrate judge's orders shall be upheld unless "clearly erroneous or contrary to law." Upon review of the entire file, the court finds that it does not appear the magistrate judge's ruling was clearly erroneous or contrary to law.

Therefore, IT IS HEREBY ORDERED that, upon reconsideration, the magistrate judge's May 3, 2006, order, is affirmed.

DATED: May 16, 2006

/s/ Frank C. Damrell Jr.
FRANK C. DAMRELL JR.
United States District Judge